

IN RE: PETITION FOR ADMIN. VARIANCE * BEFORE THE
E/S Rider Avenue, 100' N of and * ZONING COMMISSIONER
opposite Essex Farm Road * OF BALTIMORE COUNTY
(8201 Rider Avenue) * Case No. 96-453-A
8th Election District *
3rd Councilmanic District *
Debra J. DuBois *
Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 8201 Rider Avenue, located in the vicinity of Bellona Avenue in Towson. The Petition was filed by the owner of the property, Debra J. DuBois. The Petitioner seeks relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 208.3 of the 1958 Regulations) to permit a side yard setback of 9'3" in lieu of the minimum required 10', for a proposed addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits

ORDER RECEIVED FOR FILING

Date

By

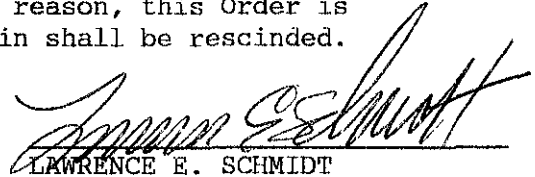
MICROFILMED

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of June, 1996 that the Petition for Administrative Variance seeking relief from Section 1B02.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 208.3 of the 1958 Regulations) to permit a side yard setback of 9'3" in lieu of the minimum required 10', for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 6/14/96
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 14, 1996

Ms. Debra J. DuBois
8201 Ridge Avenue
Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE
E/S Rider Avenue, 100' N of and opposite Essex Farm Road
(8201 Rider Avenue)
8th Election District - 3rd Councilmanic District
Debra J. DuBois- Petitioner
Case No. 96-453-A

Dear Ms. DuBois:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: People's Counsel

✓ File

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Affidavit in support of 96-453-A Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8201 Rider Avenue

address

Towson

Maryland

21204

City

State

Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Debra J. DuBois
The necessary and desired use of my new home would be prevented by strict compliance to the 10' side set back ordinance which would be affected by less than 10% with the proposed change. There would be no measurable or visible change to public safety or welfare. Prevention of this extension creates a living condition of hardship in this new home because the homeowner does not have adequate bedroom, closet and living space which is necessary and desired.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Debra J. DuBois
(signature)

Ms. Debra J. DuBois

(type or print name)



(H) 410 828-7558
(signature)

(W) 410 783-5385
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of April, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Ms. Debra J. DuBois

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4/30/96

date

Wilsons D. Loring
NOTARY PUBLIC

My Commission Expires: 9/1/98

453

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

96-453-A

ADDENDUM: Reasons of Hardship and Practical Difficulties

This home's lot placement and design leave this planned addition as the only means of adding needed living space. The practical difficulty thus results as this addition infringes several inches into the side set back zoning code.

The hardship lies in the fact that the main living level of this home must have additional bedroom, closet, and bathroom space for this new and growing family.

453

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453

96-453-A

ZONING DESCRIPTION FOR 8201 Rider Avenue, Towson, Maryland 21204

Beginning at a point on the east side of Rider Avenue which is forty feet wide at the distance of one hundred feet north of the centerline of the nearest improved intersecting street, Essex Farm Road, which is forty feet wide. Being Lot #1, Block B, Section #4 in the subdivision of Thornleigh as recorded in Baltimore County Plat Book #25, Folio #53, containing .34 acres. Also known as 8201 Rider Avenue and located in the 8th Election District, 3rd Councilmanic District.

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY 96-453-A
Towson, Maryland

District 8th Date of Posting 5/24/96

Posted for: Verneke

Petitioner: Robert DuBois

Location of property: 8201 Ridgely Ave.

Location of Sign: Facing roadway on property being zoned

Remarks: _____

Posted by: M. Webb Signature _____ Date of return: 5/24/96

Number of Signs: 1

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No
153

DATE 3-14-96 ACCOUNT K-001-6120

AMOUNT \$ 8.50

RECEIVED

FROM:

D. Lombardo American Truck
010 - 1st. (Variance) (ARM) (1/1/96) 50
080 - Sign & Posting 35

FOR:

8.42: 3.301 Rider (ARM) (1/1/96) 50
8.42: 3.301 Rider (ARM) (1/1/96) 50
8.42: 3.301 Rider (ARM) (1/1/96) 50

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

96453-1A H

cc: Debra J. DuBois
David Lombardo

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 24, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-453-A (Item 453)
8201 Rider Avenue
E/S Rider Avenue, 100' N of opposite c/l of Essex Farm Road
8th Election District - 3rd Councilmanic
Legal Owner(s): Debra J. DuBois

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before May 26, 1996. The closing date (June 10, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Debra J. DuBois
David Lombardo

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 5, 1996

Ms. Debra J. DuBois
8201 Rider Avenue
Towson, MD 21204

RE: Item No.: 453
Case No.: 96-453-A
Petitioner: Debra J. DuBois

Dear Ms. DuBois:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 14, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

ENCLOSURE



B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: June 3, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 439, 450, 451, 452, 453, 454, 455, 457 and 459.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Daryl L. Kenna

PK/JL/lw

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: June 3, 1996

FROM: *Rub* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for June 3, 1996
Item Nos. 439, 450, 451, 453,
454 & 455

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

ZONE11

RECEIVED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4880

DATE: 05/30/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 28, 1996

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 439, 450, 451, 452, 453, 454,
455, 456, 457 and 459.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 5-31-96

FROM: R. Bruce Seeley *RMS*
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: 5-28-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 439

450

453

455

456

457

458

459

RBS:sp

BRUCE2/DEPRM/TXTSBP

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March 23, 1996

96-453-A

#453

Baltimore County Government

RE: Variance for 8201 Rider Avenue, Towson, MD 21204

To whom it may concern:

We, the undersigned, understand the nature, size, and scope of the proposed addition to the house on the above referenced property. We have seen the surveyed land plot diagram showing the addition's perimeter. We do not believe the addition will adversely influence our lifestyle in any way, and we give our consent for the addition to be built.

Sue N. W. Harrison
8200 Rider Ave

Sue N. W. Harrison

Virginia W. Howard
8123 Rider Ave.

VIRGINIA W. Howard

Karen Rubior
8203 Rider Ave
KAREN Rubior

Eleanor Karfagin and
Eleanor Karfagin
8203 Rider Ave
Jack / Eleanor KARFAGIN

MICROFILMED

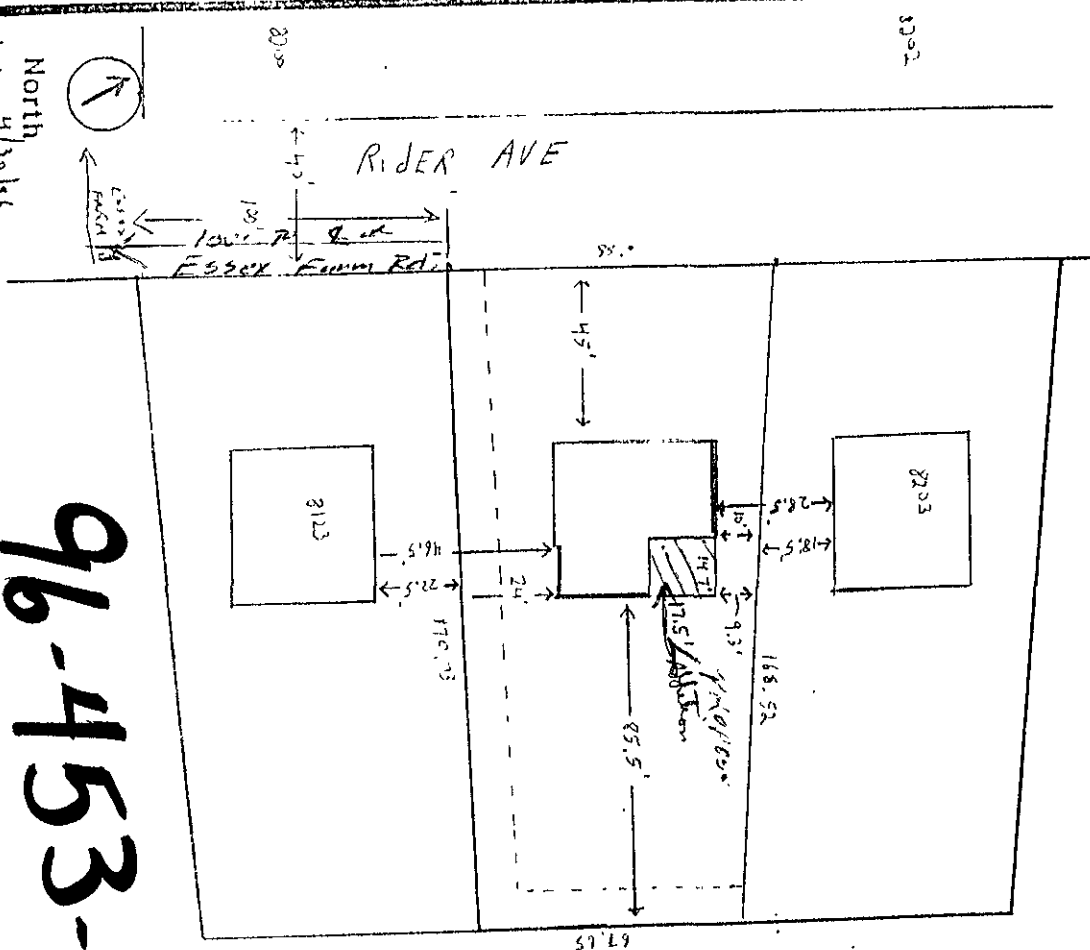
PROPERTY ADDRESS: 8201 Rider Avenue, Towson, MD 21204

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: 1 NORVILIGHT

plat book # 25, folio # 53, lot # 1, section # 4

OWNER: MS. DAKRA J. DuBois



96-453-A

North
date: 4/30/16
prepared by: David Lombardo

Scale of Drawing: 1" = 50'

LOCATION INFORMATION

Election District: 8th
Councilmanic District: 3rd

1"=200' scale map

B-17 NW

Zoning: DK 2.2

.

Lot size: 0.33 14.1

acreage square feet

14
square feet

Public Private

SEWER:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WATER:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Chesapeake Bay Critical / Fee: ☐ ** ☒ **

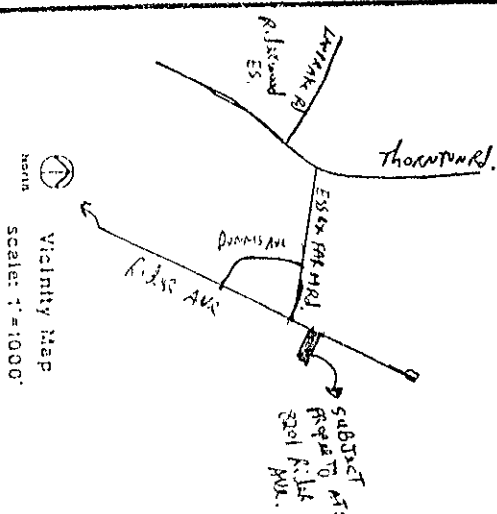
Prior Zoning Hearings: *None*

Zoning Office USE ONLY!

reviewed by:	ITEM #:	CASE#:
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ITEM #:

CASE#:



REF FILMED

96-453-A



VIEW FROM NORTH NEXT DOOR
NEIGHBOR'S REAR OF HOME. 8203



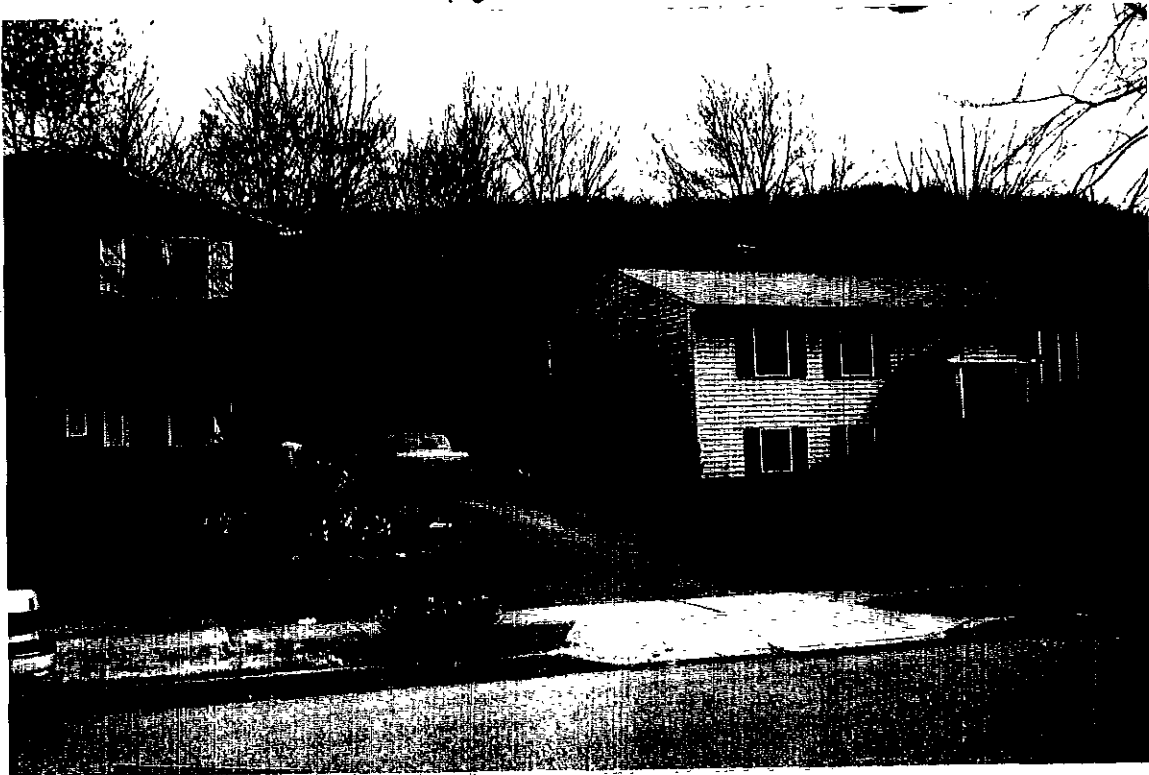
VIEW FROM NORTHEAST CORNER OF LOT: REAR

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10 feet; to allow a 10-foot wide landscape buffer for a service station located within 50 feet of residentially zoned property in lieu of the permitted 15 feet; to allow a car wash tunnel entrance to face an adjacent residentially zoned property; to allow a freestanding business ID sign of 224 square feet in lieu of the 100 square feet permitted; to allow existing fuel pumps to remain 17 feet from the street right of way in lieu of the 25 feet permitted; and to allow an existing one-way driveway of 10 feet in lieu of the 12 feet permitted.

HEARING: WEDNESDAY, NOVEMBER 16, 1994 at 9:00 a.m. in Room 106, County Office Building.

96-453-A



NW VIEW IN FRONT OF 8203 LOT



VIEW STRAIGHT ON FROM REAR OF LOT

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CASE NUMBER: 95-146-A (Item 140)
 4 Milfords Garden Court
 N/S Milfords Garden Court, 123' E of Milfords Garden Road
 2nd Election District - 2nd Councilmanic
 Petitioner(s): The Ryland Group

Variance to permit a window wall and building to street right of way setback of 23 feet in lieu of the required 25 feet, respectively; and to amend the last amended FDP for lot 12 of the Reiblich Property (aka Orchard Glen).

HEARING: WEDNESDAY, NOVEMBER 16, 1994 at 11:00 a.m. in Room 106, County Office Building.

CASE NUMBER: 95-147-A (Item 145)
 22 Merry Hill Court
 Anton North Subdivision, Section 2, Lot 22
 NW/S Merry Hill Court, 761' N of Anton North Way, E of Park Heights Avenue
 3rd Election District - 3rd Councilmanic
 Legal Owner(s): Steven and Michelle Blum
 Contract Purchaser(s): Steve and Ivy Greenberg

Variance to allow a 40-foot lot line setback for lot #22 in lieu of the required 50-foot setback; and an amendment to the 1st amended Final Development Plan for Anton North to revise the building envelope for lot #22 consistent with this variance request.

HEARING: THURSDAY, NOVEMBER 17, 1994 at 9:00 a.m. in Room 118, Old Courthouse.

Former Closing Date: 10/17/94
 CASE NUMBER: 95-106-A (Item 111)
 22 Highfield Court
 NW/end Highfield Court, 2342' N of centerline of Pot Spring Road
 8th Election District - 3rd Councilmanic District
 Legal Owner: J. Stephen Cunat, M.D.

Variance to permit a side yard setback of an accessory structure (tennis court) of zero feet in lieu of the required 2.5 feet and to amend the relief granted in zoning case #87-307-A and #88-327-SPH.

HEARING: THURSDAY, NOVEMBER 17, 1994 at 10:00 a.m. in Room 118, Old Courthouse.

CASE NUMBER: 95-149-A (Item 143)
 8501 Chestnut Oak Road
 E/S Chestnut Oak Road, 30' N of c/l Amuskai Road
 9th Election District - 4th Councilmanic
 Petitioner(s): Robert L. Osborne and Sharon L. Osborne

Variance to permit a 6-foot high fence at the intersection of a street and an alley in lieu of the maximum 3 feet.

HEARING: FRIDAY, NOVEMBER 18, 1994 at 9:00 a.m. in Room 106, County Office Building.

CASE NUMBER: 95-150-SPHA (Item 146)
 2230 Belfast Road
 W/S Belfast Road, 75' N of c/l Western Run Road
 5th Election District - 3rd Councilmanic
 Petitioner(s): Marie E. Williams

Special Hearing to permit a continuing non-conforming use of a residential trailer.
 Variance to allow 15 feet and 35 feet side yard setbacks in lieu of the required 50 feet.

HEARING: FRIDAY, NOVEMBER 18, 1994 at 10:00 a.m. in Room 106, County Office Building.

CASE NUMBER: 95-151-A (Item 147)
 9035 Cuckold Point Road
 S/S Cuckold Point Road, 55' W of c/l 4th Street
 15th Election District - 7th Councilmanic
 Petitioner(s): Agnes Catherine Poleski and William Poleski

Variance to permit a 50-foot lot width in lieu of 55 feet and an 8-foot side yard in lieu of 10 feet.

HEARING: FRIDAY, NOVEMBER 18, 1994 at 11:00 a.m. in Room 106, County Office Building.

96-453-A



VIEW FROM S.W. CORNER IN
FRONT OF 8123



VIEW FROM S.E. REAR OF LOT
NEXT AT 8203

MICROFILMED

CASE NUMBER: 95-152-X (Item 149)
 3000 Rice's Lane
 W/S Rice's Lane, 990' S of c/l Frys Lane
 2nd Election District - 1st Councilmanic
 Petitioner(s): Frederick R. Hickok and C. Helen Hickok

Special Exception for a horse boarding stable.

HEARING: FRIDAY, NOVEMBER 18, 1994 at 2:00 p.m. in Room 106, County Office Building.

Former Closing Date: 10/24/94
 CASE NUMBER: 95-113-A (Item 116)
 906 Cromwell Bridge Road
 N/S Cromwell Bridge Road, 310' E of c/l Beaver Bank Circle
 9th Election District - 4th Councilmanic
 Petitioner(s): Michael and Phyllis Melekiani

Variance to permit a side yard setback of 7 feet and a sum o
 side yards of 22 feet in lieu of the required 10 feet and 25 feet, respectively.

HEARING: FRIDAY, NOVEMBER 18, 1994 at 3:00 p.m. in Room 106, County Office Building.

CASE NUMBER: 95-91-SPH (Item 91)
 2855 Lodge Farm Road
 SE/S Lodge Farm Road, 220' W of North Point Road
 15th Election District - 7th Councilmanic
 Petitioner(s): Lillie F. Pugh and Gray Trnasport, Inc.

Special Hearing to approve existing construction equipment storage, existing non-conforming use and expansion.

HEARING: MONDAY, NOVEMBER 21, 1994 at 9:00 a.m. in Room 118, Old Courthouse.

DEVELOPMENT PLAN HEARING
 PROJECT NAME: REVCO
 PROJECT NUMBER: II-529
 Location: NWC Liberty Road and Rolling Road
 Acres: 0.83
 Proposal: Commerical Retail

AND

CASE NUMBER: 95-135-A (Item 136)
 8302-8306 Liberty Road
 NWC Liberty Road and Rolling Road
 2nd Election District - 2nd Councilmanic
 Legal Owner(s): Paul C. Beaty and Anna B. Beaty
 Contract Purchaser(s): Revco

Variance to allow 44 parking spaces in lieu of the minimum required 50 spaces; to lessen the rear landscape buffer to 8.16 feet at a single point in lieu of the 10 foot requirement, beyond which the landscaping buffer increases incrementally moving north to reach 10.84 feet; and to allow parking spaces to have direct access to a driveway in lieu of parking aisles.

HEARING: TUESDAY, NOVEMBER 22, 1994 at 9:00 a.m. in Room 118, Old Courthouse.

CASE NUMBER: 95-153-A (Item 151)
 2607 Boulevard Place
 end of S/S Boulevard Place, 340' E of East Avenue
 15th Election District - 7th Councilmanic
 Petitioner(s): Harry Wallace and Reta Wallace

Variance to permit an existing accessory structure (new swimming pool) to be located in the rear yard in lieu of the required rear yard.

HEARING: TUESDAY, NOVEMBER 22, 1994 at 2:00 p.m. in Room 118, Old Courthouse.

96-453-A



VIEW DIRECTLY IN CENTER OF REAR OF
HOUSE LOOKING AT NORTH NEIGHBOR (8203



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VIEW OF N.E. CORNER (REAR) OF LOT.



Petition for Administrative Variance

96-453-A

to the Zoning Commissioner of Baltimore County

for the property located at 8201 Rider Avenue, Towson, MD 21204

which is presently zoned D.R. 3.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B02.3.B (208.3 1958 old regs)

To allow a side yard setback of 9 ft. 3 in. (for a proposed addition) in lieu of the minimum required 10 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. Compliance with the existing 10' side set back ordinance would prevent the desired 15' extension to the rear which would not change the original spirit of the ordinance nor change in any way the public safety or welfare.
2. As a result of existing conditions; homeowner can not make reasonable use of the new home as needed and desired and applied for herein.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

Legal Owner(s):

Ms. Debra J. DuBois

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

DAVID Lombardo

Name

6503 R. Bel Air Rd.

Address

Baltimore MD 21204

254 7360

Phone No.

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JRA/ed

DATE: 5-14-96

ESTIMATED POSTING DATE: 5/26



Printed with Soybean Ink
on Recycled Paper

ITEM #: 453

MICROFILMED

ORDER RECEIVED FOR FILING

Date

By

IN RE: PETITION FOR ADMIN. VARIANCE
8/5 Rider Avenue, 100' N of and
opposite Essex Farm Road
(8201 Rider Avenue)
3rd Election District
3rd Councilmanic District
Debra J. DuBois
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-453-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Administrative Variance for that property known as 8201 Rider Avenue, located in the vicinity of Bellona Avenue in Towson. The Petition was filed by the owner of the property, Debra J. DuBois. The Petitioner seeks relief from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 208.3 of the 1958 Regulations) to permit a side yard setback of 9'3" in lieu of the minimum required 10', for a proposed addition. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits

submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, it IS ORDERED by the Zoning Commissioner for Baltimore County this 14th day of June, 1996 that the Petition for Administrative Variance seeking relief from Section 1802.3.B of the Baltimore County Zoning Regulations (B.C.Z.R.) (Section 208.3 of the 1958 Regulations) to permit a side yard setback of 9'3" in lieu of the minimum required 10', for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:djs

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

June 14, 1996

(410) 887-4386

Ms. Debra J. DuBois
8201 Ridge Avenue
Towson, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE
8/5 Rider Avenue, 100' N of and opposite Essex Farm Road
(8201 Rider Avenue)
3rd Election District - 3rd Councilmanic District
Debra J. DuBois- Petitioner
Case No. 96-453-A

Dear Ms. DuBois:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:djs

cc: People's Counsel

File

Printed with Soy-based Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8201 Rider Avenue, Towson, MD 21204
which is presently zoned D.R. 2.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner of the property, hereby petitions the Zoning Commissioner for a Variance from Section 1802.3.B (208.3 1958 old reg.)
To allow a side yard setback of 9 ft. 3 in. (for a proposed addition) in lieu of the minimum required 10 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: indicate hardship or practical difficulty.

1. Compliance with the existing 10' side set back ordinance would prevent the desired 15' extension to the rear which would not change the original spirit of the ordinance nor change in any way the public safety or welfare.
2. As a result of existing conditions, homeowner can not make reasonable use of the new home as needed and desired and applied for herein.

Property is to be posted and advertised as prescribed by Zoning Regulations. (See ATTACHED)
I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and ordinances of Baltimore County, adopted pursuant to the Zoning Law for Baltimore County.

Contact Person/Owner	Ms. Debra J. DuBois (410) 887-7558
Type of Petitioner	X Debra J. DuBois (410) 887-7558
Signature	X Debra J. DuBois
Address	8201 Rider Ave Towson MD 21204
City	Towson MD 21204
State	MD 21204
Zip	21204
Phone	(410) 887-7558
Attorney for Petitioner	David Lombardo
Address	6502 N. Belair Rd Baltimore MD 21206
City	Baltimore MD 21206
State	MD 21206
Zip	21206
Phone	(410) 887-7558

ORDER RECEIVED FOR FILING
Date 5/14/96
By 4/19/96

RECEIVED BY: 5-14-96
ESTIMATED FILING DATE: 5-16
ITEM #: 453

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at: 8201 Rider Avenue

Towson Maryland 21204

That based upon personal knowledge, the following are the facts upon which I/we have the request for an Administrative Variance at the above address: (see case number or practice office file)

The necessary and desired use of my new home would be prevented by strict compliance to the 10' side set back ordinance which would be affected by less than 10% with the proposed change. There would be no measurable or visible change to public safety or welfare. Prevention of this extension creates a living condition of hardship in this new home because the homeowner does not have adequate bedroom, closet and living space which is necessary and desired.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a protesting fee and may be required to provide additional information.

Ms. Debra J. DuBois (410) 887-7558
Ms. Debra J. DuBois (410) 887-7558

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 30th day of April 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Ms. Debra J. DuBois

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4/30/96

My Commission Expires: 9/1/98

ADDENDUM: Reasons of Hardship and Practical Difficulties

This home's lot placement and design leave this planned addition as the only means of adding needed living space. The practical difficulty thus results as this addition infringes several inches into the side set back zoning code.

The hardship lies in the fact that the main living level of this home must have additional bedroom, closet, and bathroom space for this new and growing family.

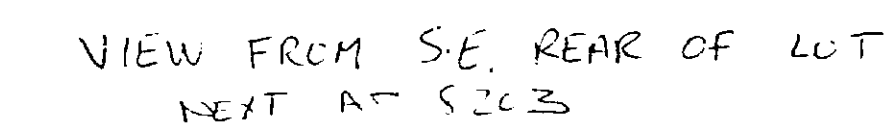
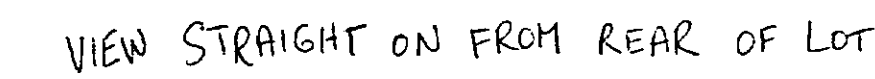
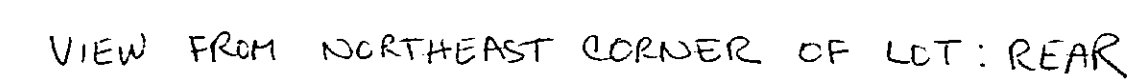
ZONING DESCRIPTION FOR 8201 Rider Avenue, Towson, Maryland 21204

Beginning at a point on the east side of Rider Avenue which is forty feet wide at the distance of one hundred feet north of the centerline of the nearest improved intersecting street, Essex Farm Road, which is forty feet wide. Being Lot #1, Block B, Section #4 in the subdivision of Thomleigh as recorded in Baltimore County Plat Book #25, Folio #53, containing .34 acres. Also known as 8201 Rider Avenue and located in the 8th Election District, 3rd Councilmanic District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 8 Date of Posting: 5/14/96
Posted for: Debra J. DuBois
Petitioner: Debra J. DuBois
Location of property: 8201 Rider Ave
Location of Sign: 8201 Rider Ave
Remarks: See attached
Posted by: David Lombardo Date of return: 5/16/96
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE, REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	
DATE: <u>5-14-96</u>	ACCOUNT: <u>8201 RIDER AVE</u>
AMOUNT: \$ <u>20.00</u>	
RECEIVED FROM: <u>Debra J. DuBois</u>	
FOR: <u>8201 RIDER AVE</u>	
TOTAL: <u>20.00</u>	
VALIDATION OR SIGNATURE OF CASHIER	





BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±

DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
RIDERWOOD

SHEET
N.W.
11-B

453